

REMARKS

Reexamination and reconsideration of the application as amended are requested. Claims 2, 5, 8, 11, 14 and 15 have been rewritten in independent form. Support for new claims 21 and 22 is found from figures 7, 14 and 16 wherein the first tube 510 is shown having a flange 514 with segments 590.

The examiner's rejection of claims 1, 3-4, 6-7, 10 and 12-13 as being "anticipated", under 35 U.S.C. 102, is respectfully traversed. The examiner rejects these claims as being unpatentable over Leibhard (US 4,269,106). Claims 3-4, 6-7 and 10 depend from claim 1, and claim 13 depends from claim 12.

Claims 1 and 12 require in step c) a plurality of spaced-apart contact areas 588 between the flange 514 of the first tube 510 and the member 512 and require in step d) creating, at a contact area, a weld/braze zone or a weld zone which includes at least some of the flange and at least some of the member. It is noted that in Leibhard, based on the figures, a better nomenclature for part 21 is "non-flange portion of the first tube" and for part 20 is "flange". In Leibhard, the weld zone created by resistance welding the legs 12 of the dowel body 10 and the sleeve-shaped projection 21 (non-flange portion of the first tube) is along the line of contact formed by the inwardly pressed recesses 17 of the dowel body (see the last three lines of claim 1, the last four lines of claim 7, and column 4, lines 41-48). Thus, Leibhard teaches a weld zone containing at least some of the member (dowel body 10) and at least some of the non-flange portion of the first tube (part 21). Therefore, Leibhard does not create a weld/braze zone or a weld zone containing at least some of the flange (part 21) as required by applicants' claims 1 and 12.

Claim 4 depends indirectly from claim 1 and also includes during step d), the step of applying a force to relatively move the flange 514 deformingly against the member 512 at, and only at the one contact area. Step d) creates a resistance welding/brazing current path at the one contact area creating a weld/braze zone which includes at least some of the flange 514 and at

least some of the member 512. The examiner argues that column 1, lines 5-26 and claim 6 of Leibhard disclose such step of applying force to relatively move the flange (part 20) deformingly against the member (dowel body 10) during the step of creating a resistance welding/brazing current path which creates a weld braze zone. Applicants respectfully disagree.

Column 1, lines 5-26 and claim 6 of Leibhard are referring to how a user of a hollow wall anchor is to use the wall anchor after the dowel body 10 has been welded to the sleeve-shaped projection 21 and a threaded bolt (not shown) has been inserted into the dowel body 10 with the bolts threaded end engaging the threaded opening 16 of the dowel body. Although not well described in the patent, a user would insert the wall anchor into a wall board such that flange (part 20) is against the outside of the wall board and the web 14 is inside a free space on the other side of the wall board. The compressive force referred to in Leibhard is supplied by the user using a screw driver to turn the bolt. Turning the bolt causes the end part 15 of the dowel body 10 to move toward the flange (part 20) which bends (expands) the webs 14 radially outward and longitudinally moves the expanded webs 14 toward the flange (part 20) securing the wall anchor to the wall board by the compressive force exerted by the webs 14 and the flange against the wall board. The bolt then can be counter-turned so the bolt head is spaced apart from the wall board and a very heavy object, such as a heavy mirror, can be hung from the bolt. Thus, Leibhard does not teach, suggest, or describe a step of applying force to relatively move the flange deformingly against the member during the step of creating a resistance welding/brazing current path creating a weld braze zone as required by applicants' claim 4.

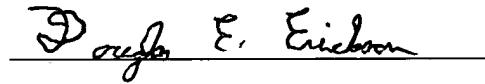
Claim 6 depends from claim 3 which depends from claim 1. Claim 6 requires (from claim 1) that the contact between the flange and the member be a segmented contact at a plurality of spaced-apart contact areas between the flange and the member. Claim 6 also requires that the end flange include a plurality of spaced-apart annular segments, wherein the contact between the end flange and the member is a contact between each of the annular segments of the end flange and the member. In Leibhard, spaced apart contact areas appear to exist between the two segments of the member (i.e., the two legs 11 of the dowel body 10) and the flange (part 20) because of the space between the two legs 11. However, in Leibhard, spaced-apart contact areas do not exist between any annular segments of the flange, as required by claim 6.

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Claim 10 requires that the member is a non-tubular member. The examiner has taken the position that Leibhard discloses a member (dowel body 10) which is at the same time a tube and a non-tubular member. Applicants respectfully disagree. The examiner has taken inconsistent positions. Either the dowel body 10 is or is not a tube. It is applicants' position the dowel body 10 of Leibhard is a tube and is not a non-tubular member.

Inasmuch as each of the rejections has been answered by the above remarks and amended claims, it is respectfully requested that the rejections be withdrawn, and that this application be passed to issue.

Respectfully submitted,



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